

Senate File 2367

S-5219

1 Amend Senate File 2367 as follows:
2 1. Page 1, by striking line 13 and inserting:
3 <..... \$ 2,053,209>
4 2. Page 2, by striking lines 16 through 20.
5 3. Page 2, line 22, by striking <1.>
6 4. Page 2, by striking lines 29 through 35.
7 5. Page 7, line 26, by striking <72.00> and
8 inserting <79.00>
9 6. Page 11, line 18, by striking <39.25> and
10 inserting <37.25>
11 7. Page 11, by striking lines 19 through 21.
12 8. Page 11, by striking lines 32 and 33 and
13 inserting:
14 <..... \$ 1,365,570
15 FTEs 56.00
16 The department, in coordination with the
17 investigations division, shall provide a report to
18 the general assembly by January 10, 2011, concerning
19 the fiscal impact of additional full-time equivalent
20 positions on the department's efforts relative to the
21 Medicaid divestiture program under chapter 249F.>
22 9. Page 12, by striking lines 3 and 4 and
23 inserting:
24 <..... \$ 4,030,108
25 FTEs 134.75>
26 10. Page 12, by striking lines 24 through 26.
27 11. Page 14, after line 18 by inserting:
28 <Sec. _____. DEPARTMENT OF INSPECTIONS AND APPEALS —
29 HEALTH CARE FACILITIES INSPECTIONS Notwithstanding
30 any provision of section 135C.16 to the contrary,
31 inspections of health care facilities that are only
32 state-licensed and not certified under the Medicare
33 or Medicaid programs shall not be inspected by the
34 department of inspections and appeals every thirty
35 months, but only as provided pursuant to sections
36 135C.9 and 135C.38.>
37 12. Page 14, by striking lines 30 through 35.
38 13. Page 15, line 1, by striking <3.> and inserting
39 <2.>
40 14. Page 16, by striking line 24 and inserting:
41 <..... \$ 4,881,860>
42 15. Page 19, by striking lines 33 and 34 and
43 inserting:
44 <..... \$ 647,014
45 FTEs 12.00>
46 16. Page 20, line 9, by striking <subsections> and
47 inserting <subsection>
48 17. Page 20, by striking lines 13 and 14.
49 18. Page 22, after line 17 by inserting:
50 <DIVISION ____

1 DEPARTMENT OF ADMINISTRATIVE SERVICES PROVISIONS

2 Sec. _____. Section 8A.207, subsection 4, paragraph
3 c, Code 2009, is amended to read as follows:

4 *c. Contracts let by another governmental*
5 *entity.* The department, on its own behalf or on the
6 behalf of another participating agency or governmental
7 entity, may procure information technology by
8 leveraging existing competitively procured contracts
9 or under a contract let by another agency or other
10 governmental entity, or may approve such procurement
11 in the same manner by a participating agency or
12 governmental entity.

13 Sec. _____. NEW SECTION. 8A.315A Purchase of
14 chain-of-custody paper.

15 1. Notwithstanding any requirements under section
16 8A.315 related to the purchase of recycled paper
17 to the contrary, the department may use certified
18 chain-of-custody paper as provided in this section in
19 lieu of recycled paper. The department shall adopt
20 rules related to the use of chain-of-custody paper.

21 2. As used in this section, unless the context
22 otherwise requires, "*certified chain-of-custody paper*"
23 means paper that has been certified pursuant to a
24 process that tracks and records the possession and
25 transfer of wood and fiber used to make paper through
26 the different states of production to the end user of
27 the paper. The department shall adopt rules defining
28 "*certified chain-of-custody paper*" consistent with the
29 certification requirements established by independent
30 entities such as the forest stewardship council,
31 sustainable forest initiative, or other similar entity.

32 Sec. _____. Section 8A.454, subsection 4, Code
33 Supplement 2009, is amended by striking the subsection.

34 Sec. _____. VEHICLE DEPRECIATION FUNDS.

35 Notwithstanding any provision of section 8A.365 to the
36 contrary, a department or agency otherwise required to
37 pay a depreciation expense pursuant to that section
38 shall not be required to pay the depreciation expense
39 during the fiscal year beginning July 1, 2010, and
40 ending June 30, 2011. However, the department of
41 administrative services may encourage departments or
42 agencies otherwise required to pay a depreciation
43 expense to make voluntary payments in an effort to
44 maintain the state fleet in the most cost-efficient
45 manner possible, including the future replacement of
46 vehicles, as necessary and appropriate.

47 Sec. _____. EFFECTIVE UPON ENACTMENT. The section
48 of this division of this Act amending section 8A.454,
49 being deemed of immediate importance, takes effect upon
50 enactment.

DIVISION ____
MEDICATION THERAPY MANAGEMENT
Sec. ____ . NEW SECTION. 514C.26 Medication therapy
management coverage — repeal.

1. Notwithstanding the uniformity of treatment requirements of section 514C.6, a group plan established pursuant to chapter 509A for employees of the state providing for third-party payment or prepayment for health or medical expenses that include pharmaceutical benefits shall provide coverage for medication therapy management in accordance with this section. The provisions of this section shall apply to plans established pursuant to chapter 509A for employees of the state, except plans established for employees of the state board of regents or institutions under the state board of regents, that are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2011.

2. As used in this section, "*medication therapy management*" means a systematic process performed by a licensed pharmacist, designed to optimize therapeutic outcomes through improved medication use and reduced risk of adverse drug events, including all of the following services:

a. A medication therapy review of all medications, vitamins, and herbal supplements currently being taken by an eligible individual.

b. A medication action plan, subject to the limitations specified in this section, communicated to the individual and the individual's primary care physician or other appropriate prescriber to address safety issues, inconsistencies, duplicative therapy, omissions, and medication costs. The medication action plan may include recommendations to the prescriber for changes in drug therapy.

c. Documentation and follow-up to ensure consistent levels of pharmacy services and positive outcomes.

3. a. Medication therapy management shall be a covered benefit for any of the following individuals:

(1) An individual who has a prescription drug therapy problem as identified by the prescribing physician or other appropriate prescriber, and is referred to a pharmacist for medication therapy management.

(2) An individual who meets other criteria established by the third-party payment provider contract, policy, or plan.

b. The fees for medication therapy management services shall be separate from the reimbursement for prescription drug product or dispensing services; shall

1 be determined by each third-party payment provider
2 contract, policy, or plan; and shall be reasonable
3 based on the resources and time required to provide the
4 services.

5 c. If any part of the medication therapy management
6 plan developed by a pharmacist incorporates services
7 which are outside the pharmacist's independent scope
8 of practice including the initiation of therapy,
9 modification of dosages, therapeutic interchange, or
10 changes in drug therapy, the express authorization
11 of the individual's physician or other appropriate
12 prescriber is required.

13 4. Medication therapy management services shall
14 be provided through a contract, established through a
15 request for proposals process, with a company located
16 in this state that is a nationally recognized leader
17 in and has a minimum of ten years of experience
18 administering medication therapy management services.
19 The contract shall require the company to provide
20 annual reports to the general assembly detailing the
21 costs, savings, estimated cost avoidance and return
22 on investment, and patient outcomes related to the
23 medication therapy management services provided.
24 The company shall guarantee annual estimated cost
25 avoidance at least equal to the program's costs with
26 any shortfall amount refunded to the state. As a proof
27 of concept in the program for the period beginning
28 January 1, 2011, and ending December 31, 2011, the
29 company shall offer a dollar-for-dollar guarantee for
30 drug product costs savings alone.

31 5. This section shall not apply to accident-only,
32 specified disease, short-term hospital or medical,
33 hospital confinement indemnity, credit, dental, vision,
34 Medicare supplement, long-term care, basic hospital,
35 and medical-surgical expense coverage as defined
36 by the commissioner, disability income insurance
37 coverage, coverage issued as a supplement to liability
38 insurance, workers' compensation or similar insurance,
39 or automobile medical payment insurance, or individual
40 accident and sickness policies issued to individuals or
41 to individual members of a member association.

42 6. This section is repealed June 30, 2012.

43 DIVISION

44 BANKING DIVISION PROVISIONS

45 Sec. _____. Section 524.814, Code 2009, is amended by
46 adding the following new subsection:

47 NEW SUBSECTION. 1A. To secure transactions to
48 hedge risks associated with interest rate exposure,
49 subject to the approval of the superintendent.>

50 19. By renumbering as necessary.

JEFF DANIELSON